

After Kuchma

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In the summer of 430 BC, after Athens suffered yet another war failure and started thinking about making peace with Sparta, Pericles warned his compatriots: the failure threatens to result in the loss of power and hatred by those who you used to rule; you cannot give your power away, for it was a tyranny. Keeping the power may not be just, but giving it away is dangerous, he summed up.

Rules of the Game

The current power-holders and their political competitors realize how true Pericles's formula is. Numerous repetitions of the "chants" that "after the election everything will be within the law" (Oleksandr Moroz), "the most important thing is [to make sure] that all those who join this marathon do not feel like each other's enemies, and that after the victory, as it is done worldwide, one congratulates another" (Yevhen Marchuk) inspire very little trust primarily due to the frequency of repetition. Still less trust is inspired by Natalia Vitrenko yelling about "uranium mines" where she would send some of her opponents, as if Mrs. Vitrenko's ambition is to serve as the commandant of a kind of a women's concentration camp or engage in Dr. Mengele-style experiments somewhere in Zhovti Vody. The sweet face of Oleksandr Tkachenko, radiating with absolute believe in his owner's genius, leaves no doubt that we are past our best times. Other pretenders are also special. Parties - supporters of Hennady Udovenko are in opposition to the incumbent guarantor of the Constitution - which is understandable after they were denied access to power sharing - but the position of Mr. Udovenko himself is unclear. The dullest approach has been adopted by the parliament's self-proclaimed corruption fighter Hryhory Omelchenko who is either unaware of the fact that primitive duplication of the 1994 Blasco scandal will not work on the eve of the 1998 election, or genuinely believes - and his messianic gaze suggests this is exactly the case - that everybody agrees to take more revelations of corruption at the start of the presidential campaign as a mere coincidence. I realized that after Mafia I, probably, don't like anti-Mafia most of all.

Apparently, the incumbent president is the only one who has no illusions about his rival's possible peaceful intentions and does not appeal to unity. In fact, he's been in this boat before, so he knows such pledges at their face value. The ruler's eye watches carefully all movements of oligarchs, notes changes in the distribution of positions, prevents coalitions between divided rivals and coordinates activities of law-enforcement bodies. Which is natural for such campaigns, in which the goal of power-holders was to retain their power.

It is more important, however, to look beyond the end of all this. Obviously, not in a sense of the end of this race, as the period between elections simply means those campaigns are run through different methods. A natural outcome of the election will be public recognition by one of the rivals that he or she lost a fair and just race. Otherwise the country will be facing a long and humiliating trial.

Time will be slightly different after Kuchma. Possibly, it will be the time of a new Kuchma, Possibly of Moroz, Tkachenko, Marchuk, Vitrenko, and hardly Symonenko. That will be the time for addressing long-standing, muted problems. The time of default. The time of finding way for privatization and securing arrival of investors, dealing with wage and pension arrears, closing down mines, defining foreign policy.

A Trap of Simple Solutions

Practically every of the competitors plays from the position of a "strong hand", though all of them follow Russia's new Prime Minister Sergey Stepashin in arguing that his or her last name is not Pinochet, but something more ethnically close. Pinochet as a "better option" used to be discussed by Dmytro Tabachnyk and Oleksandr Volkov. Naturally, not Gen. Augusto Pinochet himself, but a Pinochet as a symbol packaged into an adequate national idea of a "strong hand". Leonid Kuchma himself spoke about a "strong hand" in the context of possible actions to be taken to improve the 1998 parliamentary election results. "If this parliament comes and takes a U-turn" - Kuchma said in December 1997, - "this will be a threat to Ukraine's national interests, a threat to sovereignty, to statehood. If this happens, I will do my duty." It did not happen, as the parliament proved to be better than the President had thought it to be.

Yevhen Marchuk, on the contrary, started in September 1996 with stating that a return to the "strong hand" would be impossible, speaking about the need to search for political compromise, and, in 1998-1999, about the use of the KGB's "specific methods" for restoring order. Oleksandr Moroz generally made ironic comments about the "strong hand" policy, though many believe Moroz's perseverance as

the speaker in pushing his favored decisions through the parliament. It is hard to say what dominated his behavior - a strong personality or a flexible back. Meanwhile, his successor Oleksandr Tkachenko leaves no doubts about the strength of his grip at all.

To the incumbent President's honor, it should be noted that talks about him being non-democratic generally remain within the limits of talks. Yes, it is true that the President came very close to violating democratic norms several times, particularly on the eve of adoption of the Constitution and the Constitutional Agreement. Yes, it is true that there are ongoing talks about dissolution of the parliament, and it is true that the Pravda Ukrainy newspaper was closed down shortly before the recent parliamentary elections. These actions can be interpreted in a way other than pressure on psychologically sensitive members of parliament and inadequate nervous reaction to actions of political competitors. However, President Leonid Kuchma never crossed the limits of democracy. This is a significant circumstance. Leonid Kuchma is described by some commentators as a weak president. As far as I understand, in this context violation of democratic norms would be seen as showing strength. The trap, offered by the simple solution in this case, is that any demonstration of force by any president will be used against him as the demonstration of an antidemocratic tendency. At the same time, the lack of such demonstrations of force will be interpreted as a sign of the president's weakness. Note: under the law the President could not dissolve the parliament even if in case of the notorious "U-turn".

According to the Constitution, the parliament can only be dissolved if "the plenary meetings cannot begin within thirty days of a regular session" (Article 90). Note that the Constitution does not limit the choice of a venue for the assembly to the parliament's building in the Hrushevskoho street; therefore, arguments of some analysts that the building may suddenly find itself without water, electricity or with malfunctioning sewerage system do not appear to be relevant.

Paradoxically, President Kuchma himself is an immediate co-author of this situation and, simultaneously, its victim. At least theoretically, he could have stopped at the powers granted him by the Constitutional Agreement rather than by the Constitution, which brought the balance between mutual responsibility of the branches of power to profane mutual deterrence.

After the Election

The presidential election may result in the change of the person, not the system. No matter who becomes Ukraine's new president, he or she will have to face the same challenges and look for complex ways out of traps put by simple solutions. There are no simple solutions, after all. No matter who becomes Ukraine's new president, he or she will have to deal with the same parliament which has included all more or less attractive pieces of property to be privatized into the single list of state-owned enterprises exempt from privatization. He or she will have to deal with the parliament that is reluctant to adopt the new Taxation Code, the parliament, where a significant number of its law-makers can't stand the mere ideas of reform, democracy, and even independence. In fact, the executive branch is making a big mistake by denying the parliament access to television broadcasts. The debate between Oleksandr Tkachenko, Volodymyr Yatsenko, Natalia Vitrenko and Volodymyr Marchenko about the sensitive housing issue would give voters many more impressions than several of the President's strongly anti-parliament critical speeches.

Dissolution of the parliament is seen by many as unacceptable, as a parliament regarded to be a necessary ingredient of democracy. This appears to be a shallow perspective. The parliament's function is not to be an ingredient of democracy, its formal element, but rather to adopt progressive legislation. To a much more significant extent, it is true that dissolution of the parliament can not possibly bring about any significant improvement. Any dissolution of the parliament is followed with calling a new election. Voters are likely to elect similar MPs. In fact, this parliament represents an almost ideal sociological sample of the society in general: undecided about moving towards the West or towards the East, willing to earn as in a capitalist society but work as under socialism, simply scared of unexpected and unpredictable turns of the market, unwilling to take responsibility for his or her own life, to understand that the state is no more the utmost provider of everything.

Of course, there is another perspective, rather cynically articulated by representatives of the Party of Reforms and Order: a voter should be given an opportunity to understand that he is wrong. Let the left-wingers take the power, the party may argue, let them drive the country bankrupt, and then finally voters will realize that they may be happy only with reforms, personified by the Reforms and Order. The party's messianic approach has long been a matter of anecdotes, and it could be taken as a curious political scenario, provided the situation were developing along those lines, and provided the Reforms and Order as a party inspired political confidence.

Unfortunately, things can go differently. Creation of political supranational structures, liquidation of the independent statehood (of course, we will be told that it is being done to protect us from NATO and give us genuine independence; note that the West's disastrous PR in Ukraine contributed to many Ukrainians' perception of Serbian atrocities as a result of NATO bombing) - all these simple solutions

are quite acceptable for an average voter. When you squeeze some toothpaste out of the tube, it is extremely hard to get it back in. One should also keep in mind that a major part of the population will not accept such solutions and will actively protest.

Therefore, no matter who becomes the new president, he or she will either work with this parliament, by means of forcing or convincing it to take socially significant actions, or localize the parliament's activities to the confines of its premises on the Hrushevskoho street and produce parallel (though illegitimate) legislation, or force the parliament to dissolve itself. Therefore, dissolution of the parliament, pursuing reforms without a parliament is a practically possible, though far from ideal option of development of the current situation. However, in any of the above options the new president will have to present the society with a coherent action plan, understandable at least for part of the society. The society may be prepared to accept such an action plan, particularly if it involves mainly economic solutions. In other words, no action plan should limit operation of civil society institutions - the media, political parties, trade unions, the church.

I have consciously stressed: no matter who becomes Ukraine's next president. We are well aware of Leonid Kuchma's, Oleksandr Moroz's, Oleksandr Tkachenko's Yevhen Marchuk's, particularly Natalia Vitrenko's styles of political behavior. Apparently, in any case these people will be common in being unacceptable for some part of the society. But each of them will fear defeat that threatens them with the loss of power and hatred of other losers, and each of them will find it hard to keep his or her power and influence. Each of them will have to avoid the trap of taking simple solutions - otherwise each of them will be trapped in it together with all of us.